

Remarks

By the foregoing Amendment, claims 1, 4, 10-11, and 14-15 are amended. No new matter is added by this Amendment. Entry of the Amendment, and favorable consideration thereof, is earnestly requested.

The Examiner has objected to the drawings under 37 CFR 1.83(a) as failing to show every feature of the invention specified in the claims. The Examiner has noted that the subject matter of claim 4 must be shown or the features cancelled from the claims. In particular, the Examiner has further noted that the feature "plurality of different clamping parts designed for different predetermined angles and being exchangeable *against each other*" is not clear in that if the clamping parts are to be used separately or together to form different angles.

Applicant respectfully submits that the plurality of clamping parts as recited in the above-stated feature of claim 4 are to be used separately (i.e., individually) as exchanging parts to form different angles. This is clear from the application as originally filed. For example, see paragraphs [0017] and [0018] of the original specification. Moreover, in order to avoid any potential confusion or ambiguity, paragraph [0033] and claim 4 have been amended by the foregoing Amendment.

Accordingly, Applicant submits that the drawings in association with the specification and claims as amended are in condition satisfying the requirements under 37 CFR 1.83(a).

The Examiner has objected to the specification because of certain informalities in paragraph [0050] of the specification. By the foregoing Amendment, the informalities in paragraph [0050] have been corrected.

The Examiner has rejected claims 4, 5, 10 and 11 under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement. In this regard, the Examiner has noted that the limitation “plurality of different clamping parts designed for different predetermined angles and being exchangeable *against each other*”, as referred in claim 4, is not clear if the clamping parts are to be used separately or together to form different angles. As discussed above, independent claim 4 has been modified by the foregoing Amendment in compliance with the Examiner’s suggestion (deleting the term “against each other” there-from) and further to eliminate any potential ambiguity therein.

The Examiner has further noted that it is not clear what the limitation “126” in claims 10 and 11 cannot be understood what this designates, or what system of grit grading is being used. Claims 10 and 11 have been modified by the foregoing Amendment to eliminate any potential ambiguity therein.

Accordingly, in view of the foregoing, claims 4, 5, 10 and 11 are now in the form satisfying the enablement requirements under 35 U.S.C. § 112, first paragraph.

The Examiner has rejected claims 1, 3 and 5-17 under 35 U.S.C. §103(a) as obvious over Pollak (US Pat. Appl. Publication 2002/0069727 A1). In this regard, the Examiner has expressly acknowledged that the previous amendment of Applicant (dated May 9, 2005) has overcome the previous grounds of rejection, specifically, the use of De Angelis et al. (US Pat. No. 2,949,709) to reject claims 1, 3, 5-7 and 10-14.

Applicant respectfully submits that claims 1, 3 and 5-17, as amended by the foregoing Amendment, are patentable over Pollak as specified and reasoned herein below.

As independent claims 1 and 14-15 as amended specifically recites, each of claims 1, 3 and 5-17 requires, among other limitations, that the clamping part has a generally triangular shape comprising an outer surface which serves as a guide surface

for supporting a surface of the work piece to define a predetermined or preset angle between the surface of the work piece and the grinding surface of the working part when guiding for sharpening the work piece, and that the predetermined (or preset) angle between the surface of the work piece and the grinding surface is between 10° and 40°.

Pollak (US 2002/0069727 A1) discloses a holder for mounting a tool to a drive shaft.

As discussed above, claims 1, 3 and 5-17 of the invention requires that the clamping part has a generally triangular shape including an outer surface which serves as a guide surface for supporting a surface of the work piece to define a predetermined or preset angle for grinding. Pollak clearly fails to disclose or suggest that the clamping part has a generally triangular shape as required by claims 1, 3 and 5-17. Contrary to the present invention, the mounting or clamping part 34 of Pollak has a generally rectangular shape as shown in FIGS. 1 and 8. Moreover, Pollak does not include any disclosure or teachings, either explicitly or implicitly, that any outer surface of the mounting part 34 can be served as a guide surface for supporting a surface of the work piece to a predetermined angle for grinding the work piece.

Furthermore, as also discussed above, claims 1, 3 and 5-17 of the invention further requires that the predetermined or preset angle between the surface of the work piece and the grinding surface is between 10° and 40°. As acknowledged by the Examiner, Pollak fails to disclose or teach this limitation of the claims.

Accordingly, in view of the foregoing, Applicant respectfully submits that claims 1, 3 and 5-17 as amended are patentable over Pollak.

The Examiner has further rejected claims 8 and 9 under 35 U.S.C. §103(a) as obvious over Pollak (US Pat. Appl. Publication 2002/0069727 A1) as applied to claim 1 discussed above, and further in view of De Angelis et al. (US Pat. No. 2,949,709).

As discussed above, Pollak fails to disclose or teach, among other limitations of the claimed invention, that the clamping part has a generally triangular shape comprising an outer surface which serves as a guide surface for supporting a surface of the work piece to define a predetermined or preset angle between the surface of the work piece and the grinding surface of the working part when guiding for sharpening the work piece, and that the predetermined (or preset) angle between the surface of the work piece and the grinding surface is between 10° and 40°. Claims 8 and 9 are dependent from claim 1 and further respectively require other limitations over those discussed above. Thus, Applicant respectfully submits that claims 8 and 9 are patentable at least under the reason that claim 1 as amended is patentable as discussed above.

De Angelis et al. (US Pat. No. 2,949,709) discloses a grinding tool that is driven rotatingly about its longitudinal axis and comprises guide surfaces 56 allowing to position a work piece on top of the knife sharpener attachment for a grinding. However, similar to Pollak, De Angelis et al. also fail to disclose or teach the above specified limitations of the claims.

Accordingly, in view of the foregoing, claims 8 and 9 are patentable over the combination of Pollak and De Angelis et al.

As discussed above, Pollak, either alone or in combination with De Angelis et al., fail to disclose or teach each and every element of the invention as claimed in claims 1, 3 and 5-17. For example, the above-specified elements of the claims are not disclosed or taught by Pollak and De Angelis et al.

Moreover, a person skilled in the art trying to combine the teachings of Pollak and De Angelis et al. would not be able to easily design the grinding tool according to claims 1 or 15, or the holder according to claim 14, since the function of the grinding tool according to the invention is completely different from De Angelis et al. De Angelis

et al. provides a surface 56 against which a work piece to be sharpened can be held and then ground by the honing zone 38 which is rotated about its axis.

By contrast, according to the present invention, the grinding tool carries a grinding surface which extends from the holder to the outside protruding beyond the holder. Thus, the grinding tool allows to freely guide the grinding tool along a surface of a work piece, such as a knife, an axe, or the like.

Accordingly, Applicant respectfully submits that claims 1, 3 and 5-17 as amended are patentably distinct over the cited references.

Finally with regard to claim 4, which had been previously indicated by the Examiner to be allowable if rewritten in independent form including all of the limitations of the base claim, the Examiner has objected in this Office Action to the allowability of claim 4 only under the reason because it is not clear if the plurality of different clamping parts are meant to work individually, or together to set the angle. Claim 4, which was amended by the previous amendment in independent form including all of the limitations of the base claim 1, has been further amended by the foregoing Amendment in order to eliminate any possible ambiguities therein as discussed above. Specifically, the plurality of different clamping parts as recited in claim 4 are clearly meant to work individually to set the angle.

Accordingly, claim 4 and claim 2 (which is dependent from claim 4) are now in condition for allowance satisfying the Examiner's above concern raised in this Office Action.

Accordingly, in view of the foregoing, Applicant respectfully submits that all of the pending claims (i.e., claims 1-17) as amended are in condition for allowance. Entry of the Amendment and early notice to that effect is respectfully requested.

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Response to Final Official Action

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Wesley W. Whitmyer, Jr.', written over a horizontal line.

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